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Assembly
California Legislature



TIM LESLIE
ASSEMBLYMEMBER, FOURTH DISTRICT
September 1, 2004

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FAIRS ALLOCATION & CLASSIFICATION

The Honorable Arnold Schwarzenegger, Governor
State Capitol
Sacramento, CA 95814

Dear Governor Schwarzenegger:

This letter serves to memorialize a veto request for Senate Bill 1234, which passed the Assembly on August 23, 2004, by a vote of 51 to 23, with 23 members of the Assembly Republican Caucus voting 'No.'

The biggest concern with this measure is its overly broad and expansive language regarding something – hate crime – that is ultimately subjective. As a result, there is a very real danger that an unscrupulous or overly zealous prosecutor could use this measure to thwart free speech. That is un-American.

In America, free speech is held to be sacrosanct, and people cannot be prosecuted because they have "bad thoughts." Yet in enacting hate crimes legislation, the Legislature has created new crimes and enhanced penalties for "bad thoughts" alone, regardless of whether such thoughts were coupled with bad actions.

Especially troubling is the bill's provision for a "multi-mission criminal extremism" training requirement against people who are "anti-reproductive rights" (i.e., pro-life). Pro-lifers are not a threat to public safety.

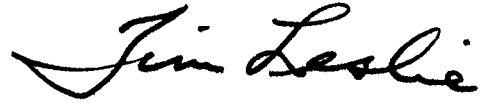
In fact, this ignores recent history, where there are many more instances of violence perpetrated against pro-life individuals by those who hold pro-choice views. Those who support abortion have attacked pro-life persons with guns, cars, acid, hypodermic syringes, and baseball bats, while other pro-abortion advocates applauded and supported some of these actions.

In August 2000, Human Life International compiled a comparative report of violence by the two opposing camps. Contrasting verifiable crimes by pro-abortion advocates against alleged crimes by pro-life advocates, one finds that in the category of "Deadly and extreme crimes against persons (murder, manslaughter, attempted murder, kidnapping, torture and rape)" there are 121 pro-abortion incidents versus 25 committed by supposedly pro-life persons. In the category of "Less serious crimes against persons resulting in actual injury (assault, sex crimes, reckless endangerment, and violation of civil rights)," the ratio is 651-112.

There may be a legitimate need for enhanced penalties against those who attack, for instance, Arab Americans simply because they share a common ancestry with someone such as Osama bin Laden. But this bill overreaches and is in some ways patently offensive.

For the reasons stated above, I respectfully request your veto of SB 1234.

Sincerely,

A handwritten signature in black ink that reads "Tim Leslie". The signature is written in a cursive style with a large, sweeping initial "T" and a stylized "L".

TIM LESLIE
Assemblyman, Fourth District

TL:bko